

be brought to the full Council for formal consideration and action, if appropriate.

**DATES:** The meeting will be held on March 26, 2004, at 9:30 a.m.

**ADDRESSES:** The meeting will be held at the Sheraton Inn Providence Airport, 1850 Post Road, Warwick, RI 02886; telephone: (401) 738-4000.

*Council address:* New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950.

**FOR FURTHER INFORMATION CONTACT:** Paul J. Howard, Executive Director, New England Fishery Management Council; telephone: (978) 465-0492.

**SUPPLEMENTARY INFORMATION:** The Scientific and Statistical Committee will address some issues relating to the Council's use of stock assessment advice and attempt to provide the Council with an understanding of why changes or differences in assessment advice may be very large as in the case of a recent Georges Bank yellowtail flounder assessment. Some other questions that the committee will consider are: (1) what kind of information should be collected and how should the Council direct funding and research to make stock assessments more reliable and robust; (2) how should the Council interpret and use virtual population analyses (VPAs), including weighting terminal year estimates of fishing mortality; (3) should other assessment models be used to compare VPA results; and (4) how should the Council handle retrospective patterns or errors in fishing mortality and biomass estimates?

Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

#### Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Paul J. Howard (*see ADDRESSES*) at least 5 days prior to the meeting dates.

Dated: March 4, 2004.

**Peter H. Fricke,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. 04-5699 Filed 3-11-04; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 030404C]

#### Endangered Species; Permit No. 1231

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Receipt of application for modification.

**SUMMARY:** Notice is hereby given that Llewellyn M. Ehrhart, Department of Biology, University of Central Florida, 4000 Central Florida Blvd., Orlando, FL 32816-2368, has requested a modification to scientific research Permit No. 1231.

**DATES:** Written, telefaxed, or e-mail comments must be received on or before April 12, 2004.

**ADDRESSES:** The modification request and related documents are available for review upon written request or by appointment in the following offices:

Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301)713-2289; fax (301)713-0376; and Southeast Region, NMFS, 9721 Executive Center Drive North, St. Petersburg, FL 33702-2432; phone (727)570-5301; fax (727)570-5320.

Written comments or requests for a public hearing on this request should be submitted to the Chief, Permits, Conservation and Education Division, F/PR1, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular modification request would be appropriate.

Comments may be submitted by facsimile at (301)713-0376, provided the facsimile is confirmed by hard copy submitted by mail and postmarked no later than the closing date of the comment period. Comments may also be submitted by e-mail. The mailbox address for providing email comments is [NMFS.Pr1Comments@noaa.gov](mailto:NMFS.Pr1Comments@noaa.gov). Include in the subject line of the e-mail comment the following document identifier: Modification of Permit No. 1231.

**FOR FURTHER INFORMATION CONTACT:**

Patrick Opay, (301)713-1401 or Carrie Hubard, (301)713-2289.

**SUPPLEMENTARY INFORMATION:** The subject modification to Permit No. 1231, issued on June 9, 2000 (65 FR 36666) is

requested under the authority of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR 222-226).

Permit No. 1231 authorizes the permit holder to take listed sea turtles inhabiting the Indian River Lagoon system, Indian River County; the nearshore Atlantic Sabellariid worm rock reef system, Indian River County; and the Trident submarine basin in Port Canaveral, Brevard County, Florida. The study is helping to gather information regarding habitat requirements, seasonal distribution and abundance, movement and growth, feeding preferences, sex ratios and the prevalence and severity of fibropapilloma. The permit holder requests authorization to expand the ongoing population assessment project by tracking the movements of juvenile green (*Chelonia mydas*) sea turtles. This modification will allow the permit holder to obtain additional information about this species' movement patterns and its utilization of habitat. The permit holder proposes to attach a transmitter and time-depth-temperature recorder to 14 of the green sea turtles that are already authorized to be captured under the existing permit. Turtles will be also be sampled, measured, weighed, and tagged before being released. This research will take place in the waters within the Indian River Lagoon on the east coast of Florida for the remaining duration of the permit which expires on March 31, 2005.

Dated: March 8, 2004.

**Stephen L. Leathery,**

*Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.*

[FR Doc. 04-5695 Filed 3-11-04; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 030404G]

#### Fisheries Off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Application for an Exempted Fishing Permit

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of the receipt of an exempted fishing permit (EFP)

application; announcement of the intent to issue the EFP; request for comments.

**SUMMARY:** NMFS announces the receipt of an application, and the intent to issue EFPs for vessels participating in an observation program to monitor the incidental take of salmon and groundfish in the shore-based component of the Pacific whiting fishery. The EFPs are necessary to allow trawl vessels fishing for Pacific whiting to delay sorting their catch, and thus to retain prohibited species and groundfish in excess of cumulative trip limits until the point of offloading. These activities are otherwise prohibited by Federal regulations.

**DATES:** Comments must be received by March 29, 2004. The EFPs will be effective no earlier than April 1, 2004, and will expire no later than May 31, 2005, but could be terminated earlier under terms and conditions of the EFPs and other applicable laws.

**ADDRESSES:** Send comments or request for copies of the EFP application to Becky Renko, Northwest Region, NMFS, 7600 Sand Point Way N.E., Bldg. 1, Seattle, WA 98115 0070 or email [EFPwhiting2004.nwr@noaa.gov](mailto:EFPwhiting2004.nwr@noaa.gov). Comments sent via email, including all attachments, must not exceed a 10 megabyte file size.

**FOR FURTHER INFORMATION CONTACT:** Becky Renko or Carrie Nordeen at (206) 526 6150.

**SUPPLEMENTARY INFORMATION:** This action is authorized by the Magnuson-Stevens Fishery Conservation and Management Act provisions at 50 CFR 600.745 which states that EFPs may be used to authorize fishing activities that would otherwise be prohibited. At the November 2003 Pacific Fishery Management Council (Council) meeting in Del Mar, California, NMFS received an application for these EFPs from the States of Washington, Oregon, and California. An opportunity for public testimony was provided during the Council meeting. The Council recommended that NMFS issue the EFPs, as requested by the States.

Issuance of these EFPs, to about 40 vessels, will continue an ongoing program to collect information on the incidental catch of salmon and groundfish in whiting harvests delivered to shore-based processing facilities by domestic trawl vessels. Because whiting deteriorates rapidly, it must be handled quickly and immediately chilled to maintain the quality. As a result, many vessels dump catch directly or near directly into the hold and are unable to effectively sort their catch.

The issuance of EFPs will allow vessels to delay sorting of groundfish catch in excess of cumulative trip limits and prohibited species until offloading. These activities are otherwise prohibited by regulation. For 2004, video cameras that are provided by NMFS, will be used to monitor full retention at sea. Information gathered from video cameras may be used to assess the effectiveness of video monitoring for full retention monitoring programs.

Delaying sorting until offloading will allow samplers located at the processing facilities to collect incidental catch data for total catch estimates and will enable whiting quality to be maintained. Without an EFP, groundfish regulations at 50 CFR 660.306(b) require vessels to sort their prohibited species catch and return them to sea as soon as practicable with minimum injury. Similarly, regulations at 50 CFR 660.306(f) prohibit the retention of groundfish in excess of the published trip limits.

In addition to providing information that will be used to monitor the attainment of the shore-based whiting allocation, information gathered through these EFPs is expected to be used in a future rulemaking. For 2005, NMFS intends to implement, through federal regulation, a monitoring program for the shore-based Pacific whiting fleet. The Council recommended using EFPs only until a permanent monitoring program can be developed and implemented. NMFS is developing a preliminary draft Environmental Assessment which includes a range of alternative monitoring systems for the shore-based Pacific whiting fishery. At its September 2003 meeting, the Council considered a preliminary range of alternatives for a monitoring program which focus on three major issues: (1) the monitoring program (i.e., federal observers, state monitors, video cameras, or a combination thereof); (2) tracking and disposition of prohibited species and groundfish overages; and (3) mechanisms for funding of the monitoring program. At its April 2004 meeting, the Council is expected to adopt a revised range of alternatives for public review that cover these same issues. At its September 2004 meeting, the Council is expected to make final recommendations to NMFS regarding this monitoring program. NMFS will then prepare a proposed rule, that will include a public comment period, followed by a final rule implementing a monitoring program before the start of the 2005 shore-based primary Pacific whiting season.

**Authority:** 16 U.S.C. 1801 *et seq.*

Dated: March 8, 2004.

**Peter H. Fricke,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
[FR Doc. 04-5694 Filed 3-11-04; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 030404F]

#### Endangered and Threatened Species; Take of Anadromous Fish

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Applications for three scientific research permits (1127, 1465, 1469) and two permit modifications (1119, 1366).

**SUMMARY:** Notice is hereby given that NMFS has received three scientific research permit applications and two applications to modify existing permits relating to Pacific salmon and steelhead. All of the proposed research is intended to increase knowledge of species listed under the Endangered Species Act (ESA) and to help guide management and conservation efforts.

**DATES:** Comments or requests for a public hearing on the applications or modification requests must be received at the appropriate address or fax number (see **ADDRESSES**) no later than 5 p.m. Pacific daylight-saving time on April 12, 2004.

**ADDRESSES:** Written comments on the applications or modification requests should be sent to Protected Resources Division, NMFS, F/NWO3, 525 NE Oregon Street, Suite 500, Portland, OR 97232-2737. Comments may also be sent via fax to 503-230-5435 or by e-mail to [resapps.nwr@noaa.gov](mailto:resapps.nwr@noaa.gov).

**FOR FURTHER INFORMATION CONTACT:** Garth Griffin, Portland, OR (ph.: 503-231-2005, Fax: 503-230-5435, e-mail: [Garth.Griffin@noaa.gov](mailto:Garth.Griffin@noaa.gov)). Permit application instructions are available at <http://www.nwr.noaa.gov>

#### SUPPLEMENTARY INFORMATION:

##### Species Covered in This Notice

The following listed species and evolutionarily significant units (ESUs) are covered in this notice:

Sockeye salmon (*Oncorhynchus nerka*): endangered Snake River (SR).

Chinook salmon (*O. tshawytscha*): endangered natural and artificially propagated upper Columbia River (UCR); threatened natural and